



STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI

DAVID P. LITTELL

GOVERNOR

COMMISSIONER

**Lavalley Lumber Company, LLC** ) **Departmental**  
**York County** ) **Findings of Fact and Order**  
**Sanford, Maine** ) **Air Emission License**  
**A-24-71-O-R**

After review of the air emissions license renewal application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

**I. REGISTRATION**

**A. Introduction**

Lavalley Lumber Company, LLC (Lavalley) of Sanford, Maine has applied to renew their Air Emission License permitting the operation of emission sources associated with their Sanford, Maine wood products facility.

**B. Emission Equipment**

Lavalley is authorized to operate the following equipment:

**Fuel Burning Equipment**

<u>Equipment</u>	<u>Maximum Capacity (MMBtu/hr)</u>	<u>Fuel Type, %Sulfur</u>	<u>Maximum Firing Rate</u>	<u>Date of Manufacture</u>	<u>Stack #</u>
Boiler #1	33.5	Wood waste, na	3.7 ton/hr	1980	#1
Boiler #2	14.6	#6 or #2 oil, 0.5%	97.5 gal/hr	1973	#2

**Electrical Generation Equipment**

<u>Equipment</u>	<u>Power Output (kW)</u>	<u>Fuel Type, % sulfur</u>	<u>Firing Rate (gal/hr)</u>
Diesel Generator	350	Diesel, 0.05%	24.4

**C. Application Classification**

The application for Lavalley does not include the licensing of increased emissions or the installation of new or modified equipment. Therefore, the license is considered to be a renewal of current licensed emission units only and has been processed through *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (last amended December 24, 2005).

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## II. BEST PRACTICAL TREATMENT (BPT)

### A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 1, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emission from the source being considered; and
- the economic feasibility for the type of establishment involved.

### B. Facility Description

Lavalley is a lumber and building materials manufacturing facility located in Sanford, Maine. Emission sources at the facility include: a wood-fired boiler and associated fuel handling equipment, wood sawing and milling machines, an oil fired boiler and associated equipment, a diesel generator and a diesel powered whole tree chipper.

### C. Boiler #1

Lavalley operates Boiler #1 to satisfy heating and hot water needs for their wood product manufacturing facility. Boiler #1 is a dutch oven style boiler with a design heat input capacity of 33.5 MMBtu/hr firing wood waste and a maximum design steam flow rate of 27,000 pounds of saturated steam at 175 psia per hour. Boiler #1 is equipped with two multicyclone mechanical dust separators for particulate control. Boiler #1 was manufactured in 1980 and is therefore not subject to EPA New Source Performance Standards (NSPS) Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units applicable to boilers with a heat input of greater than 10 MMBtu/hr and manufactured after June 9, 1989).

Lavalley is limited to firing no more than 29,000 tons of 50% moisture wood fuel or equivalent per year based on a twelve-month rolling total in Boiler #1. In order to demonstrate compliance with the wood fuel use restriction for Boiler #1, Lavalley shall maintain a wood fuel use log indicating the twelve-month rolling total wood fuel use in Boiler #1.

In order to determine compliance with the wood fuel restriction, Lavalley determines fuel use by recording the revolutions of their fuel auger in their fuel delivery system and multiplying that number by the expected weight of fuel per each auger revolution. As it was several years ago that Lavalley had made the determination of the expected weight of fuel per auger revolution, the Department has determined that Lavalley shall re-determine this value by December 31, 2009.

The procedure used shall include counting auger revolutions and delivering all wood fuel during those revolutions to a pre-weighed container. The container is weighed again and the difference is recorded. This procedure shall be performed three times (using the same revolutions) to get an average weight. The average weight of the fuel divided by the number of revolutions is the weight of fuel per revolution. This value will then be used as a standard multiplier when calculating all future fuel usage data. If this method is not feasible, Lavalley may propose an alternative method to determine the fuel delivery value.

A summary of the BPT analysis for Boiler #1 (33.5 MMBtu/hr) is as follows:

- 1 *Fuel Burning Equipment Particulate Emission Standard*, 06-096 CMR 103, (last amended November 3, 1990) regulates PM emission limits and as established in Air Emission License A-24-71-M-R, factors for PM and PM<sub>10</sub> emissions of 0.22 lb/MMBtu and 0.2 lb/MMBtu, respectively. These factors will continue to be BPT.
- 2 SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission limits are based upon AP-42 data dated 7/01 for wood combustion.
- 3 Visible emissions from Stack #1 are subject to *Visible Emissions Regulation*, 06-096 CMR 101 (last amended May 18, 2003). Visible emissions from Stack #1 shall not exceed 20% opacity on a 6-minute average, except for no more than two 6-minute period in a 3-hour period.

#### D. Fuel Handling

Lavalley utilizes a pneumatic blower system to transfer waste wood from the wood processing areas to a dust cyclone, designated Cyclone #1, which drops the wood waste onto a drag chain conveyor to be dumped into the Boiler #1 fuel bin. Waste wood is then pulled out of the fuel bin by conveyor to Boiler #1 as fuel. Lavalley also utilizes an outside fuel shed for fuel storage. Wood fuel is loaded and unloaded into and out of the fuel shed by bucket loader.

In accordance with 06-096 CMR 101, Section 2(B)(3)(d), general process emissions from the waste wood handling system which includes the waste wood blower conveyor systems, the dust cyclone (Cyclone #1) and the waste wood fuel bin and shed, shall not exceed an opacity of 20% on a 6-minute block average basis, except for no more than one 6-minute block average in a 1-hour period.

Lavalley shall establish a system of maintenance, inspection and repair for the waste wood handling system, which shall allow for a monthly inspection of the system and Lavalley shall document compliance by means of a maintenance, inspection and repair log.

E. Boiler #2

Lavalley also operates Boiler #2 to satisfy heating and hot water needs for their wood product manufacturing facility. Boiler #2 is a Clever Brooks manufactured boiler with a design heat input capacity of 14.6 MMBtu/hr. Boiler #2 was manufactured in 1973 and is therefore not subject to EPA New Source Performance Standards (NSPS) Subpart Dc (Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units applicable to boilers with a heat input of greater than 10 MMBtu/hr and manufactured after June 9, 1989).

Lavalley currently fires #2 fuel oil in Boiler #2 but would like their Air Emission License to allow for the firing of both #6 or #2 fuel oil in order to be able to meet changes in their manufacturing process as well as changes in the energy markets.

As previously licensed, Lavalley is limited to firing no more than 450,000 gallons per year of fuel in Boiler #2. In order to demonstrate compliance with the fuel oil use restriction for Boiler #2, Lavalley shall maintain a fuel oil use log indicating the twelve-month rolling total fuel oil use in Boiler #2 and including supplier certification indicating the sulfur content of the fuel. The MEDEP Bureau of Air Quality has determined that BPT/BACT for sulfur content of #2 fuel oil is the use of #2 fuel oil that meets the sulfur content criteria found in ASTM D396 for #2 fuel oil (0.5% sulfur by weight) with a sulfur content of no greater than 0.5% sulfur by weight. As previously licensed, when firing #6 fuel oil, Lavalley shall also be restricted to firing only #6 fuel oil with a sulfur content of no greater than 0.5% sulfur by weight.

A summary of the BPT analysis for Boiler #2 (14.6 MMBtu/hr) is as follows:

1. 06-096 CMR 103 regulates PM emission limits, however, the PM emission limit of 0.12 lb/MMBtu as established in A-24-71-M-R is more stringent and shall be considered BPT. PM<sub>10</sub> emission limits are derived from PM limits.
2. SO<sub>2</sub> emissions limits are based on the firing of #2 fuel oil which meets the sulfur content criteria found in ASTM D396 for #2 fuel oil (0.5% sulfur) or #6 fuel oil with a sulfur content of 0.5% sulfur by weight.
3. SO<sub>2</sub>, NO<sub>x</sub>, CO and VOC emission limits are based upon AP-42 data dated 9/98 and performance data from the boiler's manufacturer.

4. Visible emissions from Stack #2 are subject to 06-096 CMR 101. Visible emissions from stack #2 shall not exceed 20% opacity on a six-minute block average except, for no more than 2 six-minute block averages in a 3-hour period.

F. Diesel Generator

Lavalley utilizes a 350 kW diesel generator set to satisfy back-up and emergency power for the facility. As previously licensed, the diesel generator shall meet BPT through the firing of no greater than 25,000 gallons of diesel fuel with a sulfur content of no greater than 0.05% sulfur by weight. Emissions calculations for the diesel generator were based on AP-42 factors dated 10/96.

In order to demonstrate compliance with the fuel oil use restriction for the diesel generator, Lavalley shall maintain a fuel oil use log indicating the twelve-month rolling total fuel oil use in the diesel generator and including supplier certification indicating the diesel fuel oil sulfur content. The log shall include documentation of the date, time, and reason for the generators operation.

In accordance with 06-096 CMR 101, Section 2(B)(1)(f), visible emissions from the diesel generator set shall not exceed an opacity of 30% on a 6-minute block average basis, except for no more than two 6-minute block averages in a 3-hour period.

G. Wood Drying Kilns

Lavalley makes use of seven wood drying kilns to dry lumber produced at their facility. Lavalley utilizes five box kilns with volumes of 60,000 boardfeet (BF) each and two box kilns with volumes of 30,000 BF each. Annual throughput for the Lavalley wood drying kilns is approximately 15.0 million boardfeet (MMBF) per year. Lavalley predominantly dries Eastern White Pine. Using the emission factor of 2.26 pounds of VOC per 1000 board feet for white pine and the current annual drying production from the Lavalley kilns of 15.0 MMBF per year, Lavalley emits approximately 2.8 tons of VOC per year from the kiln drying process.

To allow for production flexibility, Lavalley shall be restricted to 25.0 tons of VOC emissions per year from kiln drying operations based on a twelve-month rolling total. To demonstrate compliance, Lavalley shall maintain a record of wood drying, which shall include the quantity of wood dried in the kilns indicating species and drying dates and VOC emissions calculations based on the amount of wood dried and the emission factor of 2.26 pounds of VOC per 1000 BF of eastern white pine as indicated below.

Annual VOC emissions (in tons) = Boardfeet of eastern white pine dried x 2.26 pounds /  
1000 BF of eastern white pine / 2000 lbs per ton

The wood drying record shall be maintained on a monthly as well as a twelve-month rolling total.

H. Visible emissions from potential sources of fugitive particulate matter emissions, including material stockpiles and unpaved roadways, shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual 15-second opacity observations which exceed 20% in any 1-hour.

I. Annual Emission Restrictions

Lavalley shall be restricted to the following annual emissions, based on a twelve-month rolling total:

- Emissions calculations for Boiler #1 are based on an annual fuel use limit of no greater than 29,000 tons/yr of wood at a moisture content of 50.0% or equivalent.
- Emissions calculations for Boiler #2 are based on an annual fuel use limit of no greater than 450,000 gal/yr of fuel oil.

**Total Allowable Annual Emission for the Facility**  
(used to calculate the annual license fee)

<b>Pollutant</b>	<b>Tons/Year</b>				
	Boiler #1 (Wood Fired)	Boiler #2 (Oil Fired)	Generator	Kiln	Total
PM	57.4	3.8	0.2	-	61.4
PM <sub>10</sub>	57.4	3.8	0.2	-	61.4
SO <sub>2</sub>	3.3	17.7	0.1	-	21.1
NO <sub>x</sub>	63.9	15.8	7.7	-	87.4
CO	78.3	1.1	1.7	-	81.1
VOC	5.0	0.2	0.6	25.0	30.8

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### **III.AMBIENT AIR QUALITY ANALYSIS**

According to *Major and Minor Source Air Emission License Regulations*, 06-096 CMR 115 (last amended December 1, 2005), the level of air quality analyses required for a minor source shall be determined on a case-by case basis. Based on the information available in the file, and the similarity to existing sources, Lavalley is below the emissions level required for modeling or monitoring and the Department has determined that Maine Ambient Air Quality Standards (MAAQS) will not be violated by this source.

### **ORDER**

Based on the above Findings and subject to conditions listed below, the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards,
- will not violate applicable ambient air quality standards in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-24-71-O-R subject to the following conditions:

Severability: The invalidity or unenforceability of any provision, or part thereof, of this Air Emission License shall not affect the remainder of the provision or any other provisions. This Air Emission License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

### **STANDARD CONDITIONS**

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (Title 38 MRSA §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in 06-096 CMR 115. [06-096 CMR 115]

- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]
- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353.
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]



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- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
- (i) perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:
    - a. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
    - b. pursuant to any other requirement of this license to perform stack testing.
  - (ii) install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
  - (iii) submit a written report to the Department within thirty (30) days from date of test completion.  
[06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- (i) within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
  - (ii) the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and

- (iii)the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions. [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]
- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

#### **SPECIFIC CONDITIONS**

- (16) Boiler #1
- A. Lavalley is limited to firing no more than 29,000 tons of wood fuel per year in Boiler #1 based on a twelve-month rolling total. Lavalley shall maintain fuel use records on a monthly and twelve-month rolling total basis. [06-096 CMR 115, BPT]
- B. In order to determine compliance with the wood fuel restriction, Lavalley determines fuel use by recording the revolutions of their fuel auger in their fuel delivery system and multiplying that number by the expected weight of fuel per each auger revolution. As it was several years ago that Lavalley had made the determination of the expected weight of fuel per auger revolution, the Department has determined that Lavalley shall re-determine this value by December 31, 2009 as described in Section II (C) of the Finding –of Facts of this license. [06-096 CMR 115, BPT]

C. Boiler #1 shall not exceed the following emission limits:

Equipment		PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Boiler #1	lb/MMBtu	0.44	-	-	-	-	-
	lb/hr	14.7	14.7	0.8	16.4	20.1	1.3

[06-096 CMR 103 and 115, BPT]

D. Visible emissions from Stack #1 shall not exceed 30% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a 3-hour period. [06-096 CMR 101]

(17) Fuel Handling

A. Visible emissions from the waste wood handling system which includes the waste wood blower system and conveyor system, the dust cyclone (Cyclone #1) and the waste wood fuel bin and shed, shall not exceed an opacity of 20% on a 6-minute block average basis, except for no more than one 6-minute block average in a 1-hour period.[06-096 CMR 101]

B. Lavalley shall establish a system of maintenance, inspection and repair for the waste wood handling system, which shall allow for a monthly inspection of the system. [06-096 CMR 115, BPT]

C. Lavalley shall document compliance by means of a maintenance, inspection and repair log. Lavalley shall inspect operations of the wood chip and wood dust handling system, once per month and record findings in the maintenance, inspection and repair log. [06-096 CMR 115, BPT]

(18) Boiler #2

A. Lavalley is limited to firing no more than 450,000 gallons per year fuel oil in boiler #2. Lavalley shall be permitted to fire either #2 or #6 fuel oil in Boiler #2. The sulfur content of the #2 and #6 fuel oil fired in Boiler #2 shall not exceed 0.5% sulfur by weight. [06-096 CMR 115, BPT]

B. In order to demonstrate compliance with the fuel oil use and sulfur content restrictions for Boiler #2, Lavalley shall maintain a fuel oil use log indicating the twelve-month rolling total fuel oil use in Boiler #2 and including supplier certification indicating the sulfur content of the fuel. [06-096 CMR 115, BPT]

C. Boiler #2 shall not exceed the following emission limits:

Equipment		PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Boiler #2	lb/MMBtu	0.12	-	-	-	-	-
	lb/hr	1.8	1.8	7.6	7.3	0.5	0.1

[06-096 CMR 103, 06-096 CMR 115, BPT]

D. Visible emissions from Stack #2 shall not exceed 20% opacity on a 6-minute block average, except for no more than two 6-minute block averages in a 3-hour period. [06-096 CMR 101]

(19) Ash from Boiler #1 and #2 shall be disposed of in accordance with the Bureau of Remediation and Waste Management (BRWM). Ash shall be sufficiently conditioned with water or transported in sealed containers so as to prevent fugitive emissions.

(20) Diesel Generator

A. The diesel generator shall be limited to firing no greater than 25,000 gallons per year of diesel fuel with a sulfur content of no greater than 0.05% sulfur by weight based on a twelve-month rolling total. In order to demonstrate compliance with the fuel oil use restriction for the diesel generator, Lavalley shall maintain a fuel oil use log indicating the twelve-month rolling total fuel oil use in the diesel generator and including supplier certification indicating the diesel fuel oil sulfur content. The log shall include documentation of the date, time, and reason for the generators operation. [06-096 CMR 115, BPT]

B. The diesel generator shall not exceed the following emission limits:

Equipment		PM	PM <sub>10</sub>	SO <sub>2</sub>	NO <sub>x</sub>	CO	VOC
Boiler #2	lb/MMBtu	0.12	-	-	-	-	-
	lb/hr	0.4	0.4	0.2	15.1	3.2	1.2

[06-096 CMR 103, 06-096 CMR 115, BPT]

C. Visible emissions from the diesel generator set shall not exceed an opacity of 30% on a 6-minute block average basis, except for no more than two 6-minute block averages in a 3-hour period [06-096 CMR 101]

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(21) Wood Drying Kilns

- A. Lavalley shall be restricted to a VOC emissions limit of 25.0 tons of VOC emissions per year from kiln drying operations based on a twelve-month rolling total. [06-096 CMR 115, BPT]
- B. To demonstrate compliance, Lavalley shall maintain a record of wood drying. The record shall include the quantity of wood dried in the kilns indicating drying dates and VOC emissions calculations based on the amount of wood dried and the emission factor of 2.26 pounds of VOC per 1000 BF. The VOC emissions record shall be maintained on a monthly and a 12-month rolling total basis. [06-096 CMR 115, BPT]

(22) Fugitive Emissions

Visible emissions from fugitive emission sources shall not exceed an opacity of 20%, except for no more than 5-minutes in any 1-hour period. Compliance shall be determined by an aggregate of the individual fifteen-second opacity observations which exceed 20% in any 1-hour. [06-096 CMR 101]

- (23) Lavalley shall notify the Department within 48-hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605-C).

DONE AND DATED IN AUGUSTA, MAINE THIS 12th DAY OF March 2009.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: James P. Brooks for  
DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

The term of this Order shall be for five (5) years from the above signature date.

Date of initial receipt of application: January 8, 2009

Date of application acceptance: January 26, 2009

Date filed with the Board of Environmental Protection:

This Order prepared by, Peter G. Carleton, Bureau of Air Quality

